

In the Matter Of:
KULAKOWSKI vs WESTROCK SERVICES

JAMES HALL

November 15, 2017



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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL KULAKOWSKI,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO.
)	3:16-CV-02510
)	
WESTROCK SERVICES, INC.,)	
)	
Defendant.)	

DEPOSITION OF
JAMES KEITH HALL
Taken on Behalf of the Plaintiff
November 15, 2017
Commencing at 9:35 a.m.

Reported by: Jerri L. Porter, RPR, CRR
Tennessee LCR No. 335
Expires: 6/30/2018

<div>1 APPEARANCES:</div> <div>2 For the Plaintiff:</div> <div>3 HEATHER MOORE COLLINS</div> <div>4 Collins & Hunter</div> <div>5 7000 Executive Center Drive</div> <div>6 Building 2, Suite 320</div> <div>7 Brentwood, Tennessee 37027</div> <div>8 (615) 724-1996</div> <div>9 heather@collinshunter.com</div> <div>10</div> <div>11 For the Defendant:</div> <div>12</div> <div>13 MARY DOHNER SMITH</div> <div>14 Constangy, Brooks, Smith & Prophete</div> <div>15 1010 SunTrust Plaza</div> <div>16 401 Commerce Street</div> <div>17 Nashville, Tennessee 37219</div> <div>18 (615) 320-5200</div> <div>19 mdohner@constangy.com</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div>	<div>Page 2</div> <div>1 The deposition of JAMES KEITH HALL was</div> <div>2 taken on behalf of the Plaintiff on November 15,</div> <div>3 2017, in the offices of Bone, McAllester & Norton,</div> <div>4 131 Saundersville Road, Suite 130, Hendersonville,</div> <div>5 Tennessee, for all purposes under the Federal Rules</div> <div>6 of Civil Procedure.</div> <div>7 The formalities as to notice, caption,</div> <div>8 certificate, et cetera, are waived. All objections,</div> <div>9 except as to the form of the questions, are reserved</div> <div>10 to the hearing.</div> <div>11 It is agreed that Jerri L. Porter,</div> <div>12 being a Notary Public and Court Reporter for the</div> <div>13 State of Tennessee, may swear the witness, and that</div> <div>14 the reading and signing of the completed deposition</div> <div>15 by the witness are reserved.</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21 * * *</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div>	<div>Page 4</div>
<div>1</div> <div>2 I N D E X</div> <div>3 INDEX OF EXAMINATIONS</div> <div>4 Page</div> <div>5 Examination By Ms. Collins5</div> <div>6 Examination By Ms. Dohner Smith47</div> <div>7</div> <div>8 MARKED EXHIBITS</div> <div>9</div> <div>10 Exhibit Description Page</div> <div>11 No. 14 8/29/16 Henley e-mail to McGraw43</div> <div>12 Subject: 2133-Interview</div> <div>13 Questions-8.26.16;</div> <div>14 8/29/16 Henley e-mail to McGraw</div> <div>15 Subject: Interview with Tracie</div> <div>16 August 29, 2016</div> <div>17 Bates WestRock 000240-0241</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div>	<div>Page 3</div> <div>1 JAMES KEITH HALL</div> <div>2 was called as a witness, and after having been first</div> <div>3 duly sworn, testified as follows:</div> <div>4 E X A M I N A T I O N</div> <div>5 BY MS. COLLINS:</div> <div>6 Q Good morning. Could you state your complete</div> <div>7 name for the record, please.</div> <div>8 A James Keith Hall.</div> <div>9 Q Mr. Hall, do you go by Keith?</div> <div>10 A Yes.</div> <div>11 Q What is your address?</div> <div>12 A 479 Green Grove Road, Westmoreland,</div> <div>13 Tennessee.</div> <div>14 Q What is your phone number?</div> <div>15 A Area code (615)388-1617.</div> <div>16 MS. DOHNER SMITH: He's a fast talker.</div> <div>17 BY MS. COLLINS:</div> <div>18 Q Where do you work, Mr. Hall?</div> <div>19 A I've never been in a room with this many</div> <div>20 lawyers. I have never been in court for anything.</div> <div>21 Q That's fine. Where do you work right now?</div> <div>22 A WestRock.</div> <div>23 Q Are you at the Gallatin plant?</div> <div>24 A Yes.</div> <div>25 Q At the fulfillment center?</div>	<div>Page 5</div>

<p style="text-align: right;">Page 6</p> <p>1 A Both.</p> <p>2 Q Okay. How long have you been working for</p> <p>3 WestRock?</p> <p>4 A Thirty-three years and five months.</p> <p>5 Q What is your current job title?</p> <p>6 A Plant manager.</p> <p>7 Q How long have you been plant manager?</p> <p>8 A Since February.</p> <p>9 Q February 2017?</p> <p>10 A '17.</p> <p>11 Q Okay. Sometimes I forget what year we're</p> <p>12 in.</p> <p>13 What was your job title before you were</p> <p>14 plant manager?</p> <p>15 A Customer service manager.</p> <p>16 Q How long were you customer service manager?</p> <p>17 A A year and six months, somewhere close.</p> <p>18 Q So, since mid 2016?</p> <p>19 A It was September 2015 is when it was. I</p> <p>20 know when Pam passed -- when Pam Blair, our customer</p> <p>21 service manager passed away, I took over that job.</p> <p>22 Q As customer service manager, which facility</p> <p>23 did you work at?</p> <p>24 A Both.</p> <p>25 Q Okay. How much time did you spend in that</p>	<p style="text-align: right;">Page 8</p> <p>1 service manager, was your office over at the main</p> <p>2 plant?</p> <p>3 A Yeah.</p> <p>4 Q Is that the right lingo, the main plant?</p> <p>5 A Sheet plant, what we call the sheet plant.</p> <p>6 Q Sheet plant? Okay. I knew it had been</p> <p>7 called something. So if I accidentally say main</p> <p>8 plant, I'm referring to the sheet plant in Gallatin.</p> <p>9 A Yes, I understand.</p> <p>10 Q Who hired you as plant manager?</p> <p>11 A Tom Pedine.</p> <p>12 Q Who was plant manager before you?</p> <p>13 A Larry Eden.</p> <p>14 Q And I understand Mr. Eden still works out</p> <p>15 there, right?</p> <p>16 A Yes, ma'am.</p> <p>17 Q Do you know why he's no longer plant</p> <p>18 manager?</p> <p>19 A Performance.</p> <p>20 Q Did you play any part in that job decision,</p> <p>21 to move him down from plant manager?</p> <p>22 A No, ma'am.</p> <p>23 Q Do you know what about his performance</p> <p>24 played a part in that?</p> <p>25 A The performance of the plant, it was</p>
<p style="text-align: right;">Page 7</p> <p>1 role at the fulfillment center?</p> <p>2 A Percent-wise, probably 15.</p> <p>3 Q Why would you go to the fulfillment center?</p> <p>4 A To oversee projects.</p> <p>5 Q And after you became -- after you were</p> <p>6 customer service manager -- well, you were customer</p> <p>7 service manager from September 2015 to</p> <p>8 February 2017, right?</p> <p>9 A Yes.</p> <p>10 Q Okay. Before you were customer service</p> <p>11 manager, what was your job title?</p> <p>12 A Quality manager.</p> <p>13 Q And which facility did you work at when you</p> <p>14 were quality manager?</p> <p>15 A Both.</p> <p>16 Q How long were you in that role?</p> <p>17 A Approximately two years.</p> <p>18 Q And what percentage of your time did you</p> <p>19 spend over at the fulfillment center?</p> <p>20 A Quality manager was probably 40 percent.</p> <p>21 Q So a little bit more time --</p> <p>22 A Yes.</p> <p>23 Q -- over there?</p> <p>24 A My office was actually located there.</p> <p>25 Q Okay. And now, when you were customer</p>	<p style="text-align: right;">Page 9</p> <p>1 underperforming, the numbers were down, employee</p> <p>2 satisfaction was down.</p> <p>3 Q Did you have to interview for your job as</p> <p>4 plant manager?</p> <p>5 A No.</p> <p>6 Q Did Mr. Pedine just come and tell you you're</p> <p>7 going to be promoted to plant manager?</p> <p>8 A We had probably an hour-long discussion</p> <p>9 about it.</p> <p>10 Q When you were customer service manager from</p> <p>11 September '15 to February 2017, other than Mr. Eden,</p> <p>12 who was the plant manager?</p> <p>13 A Nobody.</p> <p>14 Q When did Mr. Eden become plant manager?</p> <p>15 A Early 2000s.</p> <p>16 Q Oh, okay. Who was the general manager?</p> <p>17 A Tommy Whited. William Whited.</p> <p>18 Q And who became the general manager after</p> <p>19 him?</p> <p>20 A Allie Hasbrouck.</p> <p>21 Q Allie?</p> <p>22 A Allie Hasbrouck.</p> <p>23 Q Could you spell that, if you know?</p> <p>24 A Maybe.</p> <p>25 Q I know it's hard to spell without a piece of</p>

<p style="text-align: right;">Page 10</p> <p>1 paper.</p> <p>2 A H-a-s-b-r-o-c-h [sic].</p> <p>3 Q And the first name?</p> <p>4 A Allie, A-l-l-i-e.</p> <p>5 Q Is that a man or a woman?</p> <p>6 A Man.</p> <p>7 Q Did he become the general manager after</p> <p>8 Mr. Whited left?</p> <p>9 A February of 2017.</p> <p>10 Q Who was the interim general manager?</p> <p>11 A Eric Underwood.</p> <p>12 Q Where did Mr. Underwood work?</p> <p>13 A Humboldt, Tennessee.</p> <p>14 Q Okay. So he came in just to --</p> <p>15 A He'd come go over our numbers, come see the</p> <p>16 plant, see if we had any problems or anything we</p> <p>17 needed him for. Other than that, it was phone</p> <p>18 calls.</p> <p>19 Q Okay. Now, when you were customer service</p> <p>20 manager from 2015 to 2017, where did that sort of</p> <p>21 fall in the hierarchy of management?</p> <p>22 A I didn't report to the plant manager. I</p> <p>23 reported to the GM directly.</p> <p>24 Q So, you did not report to Mr. Eden. You</p> <p>25 reported directly to Mr. Whited.</p>	<p style="text-align: right;">Page 12</p> <p>1 Q Then under that it was plant manager,</p> <p>2 Mr. Eden?</p> <p>3 A Larry.</p> <p>4 Q And then under Larry Eden, it was you as</p> <p>5 customer service manager, or were there other</p> <p>6 managers on the same level as you?</p> <p>7 A The way you look at the org chart, I was the</p> <p>8 same level as Larry.</p> <p>9 Q Okay.</p> <p>10 A Just over customer service. Larry had some</p> <p>11 direct reports, Michael White, Gary Pagels.</p> <p>12 Q Michael White and who?</p> <p>13 A Gary Pagels, P-a-g-e-l-s.</p> <p>14 Q Okay. Are both of those gentlemen still</p> <p>15 working out there?</p> <p>16 A Yes.</p> <p>17 Q Now, when you -- are you familiar with</p> <p>18 WestRock's policies?</p> <p>19 A Yes.</p> <p>20 Q Okay. Are most of their policies contained</p> <p>21 in the company handbook?</p> <p>22 A Yes.</p> <p>23 Q Are there any special policies that you</p> <p>24 would follow as either plant manager or when you</p> <p>25 were customer service manager?</p>
<p style="text-align: right;">Page 11</p> <p>1 A Yes.</p> <p>2 Q Okay. When you were customer service</p> <p>3 manager, did you have the ability to hire or fire</p> <p>4 employees?</p> <p>5 A Yes.</p> <p>6 Q Which employees did you have the ability to</p> <p>7 hire or fire?</p> <p>8 A Just customer service.</p> <p>9 Q Were most of the customer service employees</p> <p>10 at the sheet plant?</p> <p>11 A There was -- yes. There's two at</p> <p>12 fulfillment, four at sheet plant.</p> <p>13 Q Okay. Who were the two that were at</p> <p>14 fulfillment?</p> <p>15 A Sara Scheffey. Susan Hart was, and then we</p> <p>16 replaced her. She took another position and we</p> <p>17 replaced her with Scott Cotton.</p> <p>18 Q And could you spell Sara's last name, if you</p> <p>19 can.</p> <p>20 A Maybe. S-c-h-e-f-f-e-y.</p> <p>21 Q Okay. So, I was asking you sort of about</p> <p>22 the hierarchy of management. As I understand it,</p> <p>23 when you were customer service manager, it was the</p> <p>24 general manager at the top, which was Mr. Whited?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 13</p> <p>1 A Special? No.</p> <p>2 Q Or a separate set of management policies?</p> <p>3 A Not that I know that are special.</p> <p>4 Q Or a separate set?</p> <p>5 A No.</p> <p>6 Q Okay. Now, in -- I'm just going to go back</p> <p>7 a little bit to 2015 first. In 2015, did you</p> <p>8 receive -- in 2015, you were customer service</p> <p>9 manager, right?</p> <p>10 A Yes.</p> <p>11 Q In 2015, did you receive any sort of annual</p> <p>12 training in sexual harassment or employee policies</p> <p>13 like that?</p> <p>14 A Yes.</p> <p>15 Q Tell me about that.</p> <p>16 A Every year we review the anti-harassment and</p> <p>17 code of conduct policies.</p> <p>18 Q Who do you review that with?</p> <p>19 A Some part of management at the plant or HR.</p> <p>20 Depends on the year.</p> <p>21 Q Who in HR do you recall reviewing those</p> <p>22 policies with?</p> <p>23 A Terri Henley is the latest one.</p> <p>24 Q Before Ms. Henley, who did you review them</p> <p>25 with?</p>

<p style="text-align: right;">Page 14</p> <p>1 A Melinda McGraw came up once. Other than 2 that, it was Tommy Whited had done it. 3 Q Did you have to sign any sort of sheet of 4 paper saying you attended the training? 5 A Yes. 6 Q You said Ms. Henley was the most recent. 7 Was that in 2017? 8 A Yes, she was here in '17. 9 Q She was there in '17? 10 A Yes. 11 Q Ms. McGraw, was she there in '15 or '16? 12 A I don't know which one. One we done with 13 her, one we done with Tommy, and one we done with 14 Terri. But they're all the same content. 15 Q Okay. What would they generally go over? 16 A Our, WestRock whole code of conduct, 17 anti-harassment, sexual harassment. 18 Q Did y'all look at any materials? 19 A Yes. We have a whole -- HR has put together 20 a PowerPoint you have to go over. 21 Q Okay. At that time, would y'all look at the 22 handbook as well? 23 A Yes. Everybody was handed a copy of the 24 presentation. 25 Q Were they to keep the copy?</p>	<p style="text-align: right;">Page 16</p> <p>1 Q Why would they come out? 2 A Come out for visits. They came out for our 3 employee engagement. 4 Q Is the employee engagement that training you 5 were talking about? 6 A No. 7 Q What's the employee engagement? 8 A It's a survey that all of the employees do. 9 Or we request they do. 10 Q When did y'all start doing that? 11 A 2011, I think. 12 Q Okay. And y'all do that every year? 13 A Two years. 14 Q Every two years? 15 A Uh-huh. 16 Q What's on that employee engagement survey? 17 A There's a lot of questions about what you 18 think about your direct supervisor, your managers, 19 the company. It also has a comment section. 20 Q Who would -- would all the employees do 21 those? 22 A We ask. It was all voluntary. If you 23 wanted to, you could. If you didn't want to, you 24 didn't have to. But we've had decent -- there's 25 been decent results from it as far as numbers.</p>
<p style="text-align: right;">Page 15</p> <p>1 A Yes. It was their copy. There was one page 2 on the back to sign. 3 Q Okay. And was this just for management or 4 was it for all of the employees? 5 A No. It was all. 6 Q All of them? 7 A All employees, yes. 8 Q About how long did the training last? 9 A I'm going to say 45 minutes to an hour. 10 Q Did y'all do it on all shifts? 11 A Yes. 12 Q And was that the same in 2015? 13 A Yes. 14 Q Did y'all have a local HR person? 15 A Local, no. 16 Q Have you ever had a local HR person? 17 A No. 18 Q How often -- and let's just start in 2015. 19 How often would you see an HR person with WestRock? 20 A Probably six, ten times. Nine, ten times a 21 year. 22 Q And that was at the sheet plant? 23 A Yeah. I've actually seen them in both. 24 Q Who have you seen? 25 A Melinda and Terri.</p>	<p style="text-align: right;">Page 17</p> <p>1 Q Who would get that information? 2 A Who would get the information? 3 Q Yes. 4 A An independent company. 5 Q Okay. How were employees supposed to turn 6 that in? 7 A Either online or they had a box that was 8 sealed they put it into. 9 Q What would happen after those surveys were 10 done? 11 A Usually took two or three months, and then 12 when they came back, you got the -- HR put together 13 a presentation with the results on it. The company 14 supplied it to HR. 15 Q Who would get the presentation of results? 16 A At our plant, Tommy. 17 Q Now, in -- let's just say 2016. Did you 18 see -- well, before the things that happened that 19 preceded Mr. Whited's termination, did you see HR 20 out at the plant before that in 2016 at the 21 fulfillment center? 22 A Yes. 23 Q Okay. What was the context of that? 24 A I am not sure because I came in over there 25 and Melinda and Terri were there.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q Okay. And you don't know why they were 2 there? 3 A No. 4 Q Do you recall when that was? 5 A Not exactly. I know it was prior to, 6 because they were with Tommy. 7 Q Okay. They were with Mr. Whited? 8 A Yes. They were with Tommy walking through 9 the plant. 10 Q About how many employees would you say are 11 at the fulfillment center? 12 A Full-time -- we work some temps, but on a 13 normal basis, around 65. Temps and all. 14 Q And including the sheet plant, about how 15 many people are out at the sheet plant? 16 A There's around 55 at the sheet plant. 17 Q Is there a full-time HR person at the sheet 18 plant? 19 A No. 20 Q Has there ever been? 21 A No. 22 Q And do you recall when Helen Kendall worked 23 out at the sheet plant? 24 A Yes. 25 Q What sort of job duties did she handle?</p>	<p style="text-align: right;">Page 20</p> <p>1 A It's the road that leads to Westmoreland -- 2 I mean to Fleetwood manufacturing. Or used to. 3 Q Okay. I know how to get a lot of places but 4 don't know the names of a lot of places. 5 A Well, for me, come from that 911 system, and 6 roads got named. I've lived there my whole life. 7 Q I get that. I remember when I was a kid, 8 the name of our road changed for that very reason. 9 A There's actually four roads named after my 10 family. That was different. 11 Q I get it. 12 All right. Now, did Ms. Kendall perform 13 some of the HR functions out at the plant or refer 14 people to HR if they needed it? 15 A They would go to her for questions and she 16 would give them the number to call. 17 Q Okay. Did she handle, like if an employee 18 needed to take leave, making sure that got submitted 19 and all that sort of stuff? 20 A She would help them with the paperwork. She 21 would get them in contact with HR and she would help 22 either fax the paperwork in for them or give the 23 correct numbers and that type of stuff. 24 Q Okay. Where is HR that does cover the 25 Gallatin plants?</p>
<p style="text-align: right;">Page 19</p> <p>1 A Administrative, payroll. 2 Q Anything else you can think of? 3 A I mean, she was -- she helped a lot of our 4 employees if they needed something, but that was her 5 responsibilities. 6 Q Okay. And I understand she retired at some 7 point, right? 8 A Yeah. December 2016. 9 Q Do you know if she's still around? 10 A Yes. She lives about six miles from me. 11 Q Oh, okay. Do you ever see her anymore? 12 A Actually, we hug every time we see one 13 another. About once every two months. 14 Q Just around town? 15 A Yeah, grocery store. Small town. 16 Q I understand. I grew up in one, too. 17 Other than just seeing her around town, do 18 you talk with her on a regular basis or see her like 19 at church or anything like that? 20 A No. 21 Q Okay. What road does she live on, if you 22 know it? 23 A It's one of the main roads in Westmoreland. 24 I don't know the name of it. 25 Q That's okay.</p>	<p style="text-align: right;">Page 21</p> <p>1 A Lewisburg, Tennessee. 2 Q Is there another WestRock facility down in 3 Lewisburg? 4 A Yes. 5 Q Is that where Ms. Henley is? 6 A Yes. 7 Q How long has Ms. Henley been y'all's HR 8 representative? 9 A 2012 or something. '12 or '13. I'm not 10 sure. 11 Q So a while? 12 A Yeah. 13 Q Okay. 14 A I've been there 33 years, and around the 15 plant since 1970. 16 Q I imagine some of those dates start to run 17 together. 18 A Yes. 19 Q Now, have you ever worked around an employee 20 named Michael Kulakowski? 21 A Yes. 22 Q Okay. Have you worked around him most of 23 the time he's been employed? 24 A No. 25 Q Okay. When did you start working around</p>

<p>Page 22</p> <p>1 him?</p> <p>2 A I'd say November of '16.</p> <p>3 Q Was that when you became general manager or</p> <p>4 plant manager?</p> <p>5 A Well, that's when I -- they unofficially put</p> <p>6 me over the fulfillment center in November. I got</p> <p>7 the title in February.</p> <p>8 Q Okay. But before that, were you around him</p> <p>9 as a customer service representative every now and</p> <p>10 then?</p> <p>11 A Every now and then, yes.</p> <p>12 Q When you were customer service</p> <p>13 representative, did you primarily answer to</p> <p>14 Mr. Whited?</p> <p>15 A Yes.</p> <p>16 Q And Mr. Whited, when he was general manager,</p> <p>17 he was over both facilities, right?</p> <p>18 A Yes.</p> <p>19 Q Did he spend most of his time at the</p> <p>20 fulfillment center?</p> <p>21 A Yes.</p> <p>22 Q Did you ever witness Mr. Whited kick</p> <p>23 employees of WestRock?</p> <p>24 A No.</p> <p>25 Q What about hit them with a broom?</p>	<p>Page 24</p> <p>1 Q When was that?</p> <p>2 A I don't know, five or six years ago.</p> <p>3 Q So it sounds like you let him know real</p> <p>4 quick never to do that to you again.</p> <p>5 A Yes.</p> <p>6 Q And did he pretty much leave you alone after</p> <p>7 that?</p> <p>8 A Yes. He never ever touched me again in any</p> <p>9 way.</p> <p>10 Q Okay. And you mentioned that you saw him do</p> <p>11 it to Terry Stafford. Tell me about that.</p> <p>12 A That was -- do it to Terry and Terry would</p> <p>13 just laugh and act like he was trying to get away.</p> <p>14 Q And he was -- Mr. Whited was Terry's boss at</p> <p>15 that time, right?</p> <p>16 A Yeah.</p> <p>17 Q And J.R. Sanders, tell me about that one.</p> <p>18 A Same situation. He'd act like he was -- or</p> <p>19 go to slap him in the groin, and J.R. would laugh</p> <p>20 and push on him. They'd just laugh and giggle and</p> <p>21 go on.</p> <p>22 Q Did you think that was appropriate for him</p> <p>23 to be going around slapping other male employees in</p> <p>24 the workplace?</p> <p>25 A When I objected to it, he stopped with me.</p>
<p>Page 23</p> <p>1 A No.</p> <p>2 Q What about hit them with his hand?</p> <p>3 A Yes.</p> <p>4 Q Tell me about that.</p> <p>5 A I've seen him, I don't know what it is, but</p> <p>6 he'd want to slap people in the groin area.</p> <p>7 Q Okay. Men?</p> <p>8 A Yes.</p> <p>9 Q You didn't see him do that to the women</p> <p>10 employees, did you?</p> <p>11 A Not that, no.</p> <p>12 Q Okay. Which male employees did you see</p> <p>13 Mr. Whited slap in the groin area?</p> <p>14 A Terry Stafford, me once, Kulakowski.</p> <p>15 Q Anyone else?</p> <p>16 A Yeah. I'm just trying to think. I don't</p> <p>17 know -- I know I seen him do it another couple, I</p> <p>18 don't remember who. J.R. Sanders is one.</p> <p>19 Q What did you do when he did that to you?</p> <p>20 A We were standing side by side. I bent over,</p> <p>21 actually I extended my arm, contacted his shoulder,</p> <p>22 knocking him over against the copier, told him to</p> <p>23 never touch me again.</p> <p>24 Q Did he leave you alone after that?</p> <p>25 A Yes.</p>	<p>Page 25</p> <p>1 They were all laughing like it was a big joke to</p> <p>2 them, so I didn't -- it was like they were playing.</p> <p>3 Q And Terry and J.R., they weren't managers</p> <p>4 like you were, were they?</p> <p>5 A No.</p> <p>6 Q And Michael Kulakowski, tell me about that</p> <p>7 one.</p> <p>8 A Michael, I seen him flick his hand at</p> <p>9 Michael, Michael would laugh and roll around and</p> <p>10 joke and cut up.</p> <p>11 Q How many times did you see that happen?</p> <p>12 A Two, maybe three.</p> <p>13 Q And at that time Michael Kulakowski was not</p> <p>14 in management, was he?</p> <p>15 A No.</p> <p>16 Q When you saw him do that to these other</p> <p>17 employees, did you report it to HR?</p> <p>18 A No.</p> <p>19 Q Why not?</p> <p>20 A Because they were laughing like they were</p> <p>21 all -- like it was a joke between them.</p> <p>22 Q Did you ever pull them aside and ask them if</p> <p>23 they found it offensive or tell them they could call</p> <p>24 HR if they didn't like that?</p> <p>25 A No, I didn't.</p>

<p style="text-align: right;">Page 26</p> <p>1 Q Did you see Mr. Whited physically touch any 2 other male employees? 3 A I can't -- I can't recall any, but it's been 4 a long time, too. 5 Q Did any employees come to you and talk to 6 you about it? 7 A No. 8 Q Do you recall Mr. Kulakowski coming and 9 telling you about Tommy doing things to him? 10 A Kuli? 11 Q Yes. 12 A No. 13 Q No, you don't recall, or no, it didn't 14 happen? 15 A No, I don't recall. 16 Q Now, did any employees come to you and 17 complain about anything like that about Mr. Whited's 18 behaviors? 19 A No. 20 Q Did you ever hear Mr. Whited tell a male 21 employee to give him any kind of oral sex or hear 22 about him showing them his private parts? 23 A No. 24 Q Or anything like that? I'm kind of sort of 25 making the statements a little bit gentle, but did</p>	<p style="text-align: right;">Page 28</p> <p>1 your subordinate employees as plant manager? 2 A No. 3 Q And you would agree that's not good 4 behavior? 5 A Yes. 6 Q And that violates WestRock policy if you 7 were to do any of those things? 8 A Yes. 9 Q Would you agree that the way Mr. Whited 10 slapped you in your groin area was a violation of 11 white rock policies? Not white rock. WestRock 12 policies. 13 A I didn't view it at that time that way. 14 Q Do you view it differently now? 15 A Yes. 16 Q And you wouldn't do that to people who 17 worked under you as plant manager, would you? 18 A No. 19 Q If you saw that behavior going on in the 20 workplace, would you report it to HR? 21 A Yes. 22 Q Even if employees were laughing about it? 23 A As of today, yes. 24 Q What do you mean, as of today? 25 A Since Tommy has left, I've been through a</p>
<p style="text-align: right;">Page 27</p> <p>1 you ever hear about anything like that? 2 A I did not, no. 3 Q You did not? 4 A No. 5 Q Did anybody say anything to you -- 6 A No. 7 Q -- that he had done that before? 8 A No. 9 Q Did you know that he had showed his penis to 10 Michael Kulakowski before? 11 MS. DOHNER SMITH: Objection. 12 BY MS. COLLINS: 13 Q You can answer. 14 A No. 15 Q Did he ever do that to you? 16 A No. 17 Q Since you've been general manager, have you 18 hit or slapped any of your employees? 19 MS. DOHNER SMITH: Objection. 20 BY MS. COLLINS: 21 Q Or subordinates? 22 A I'm not general manager. 23 Q Plant manager. Sorry. 24 A No. 25 Q Have you showed your private parts to any of</p>	<p style="text-align: right;">Page 29</p> <p>1 lot more HR training. Used to be like a big joke, 2 horseplaying between the guys, if you have a bunch 3 of guys together horseplaying. But today I view it 4 differently. I mean, just because I went up in 5 management another step and I do view -- and I look 6 at everything differently now. 7 Q Right. Do you understand that sometimes 8 people laugh even though they're -- they might be in 9 pain or might find it offensive? 10 MS. DOHNER SMITH: Objection. 11 THE WITNESS: Yeah. I guess so. I 12 personally don't, so it's hard for me to answer. 13 BY MS. COLLINS: 14 Q Right. Because sometimes an employee might 15 not want to get in trouble if they don't go along 16 with what their boss is doing, right? 17 MS. DOHNER SMITH: Objection. 18 THE WITNESS: Yeah. Yes. 19 BY MS. COLLINS: 20 Q Were -- when Mr. Whited was out there, did 21 you get the sense that other employees were kind of 22 afraid of him? 23 A Yes. 24 Q Why did you get that sense? 25 A Because he's had meetings where he said --</p>

<p style="text-align: right;">Page 30</p> <p>1 he's very quick to use the fire word. In a meeting 2 for just a small something, what we felt was small, 3 you know, he'd just fire you. 4 Q So he would threaten employees' jobs a lot? 5 MS. DOHNER SMITH: Objection. 6 THE WITNESS: A lot, no, but 7 occasionally, yes. 8 BY MS. COLLINS: 9 Q Was he -- was Mr. Whited someone that you 10 would characterize as a person that appreciated 11 constructive criticism? 12 A No. 13 Q Was it kind of his way or the highway? 14 A In public, yes. 15 Q Was it different in private? 16 A I could go talk to him and -- it's like you 17 were questioning his authority if you did it in 18 public. In public, it would question his authority. 19 If you went to ask him to see him in his office or 20 somewhere, he'd usually change his mind or look at 21 it in a different way. 22 Q Okay. Did you know about the investigation 23 that WestRock conducted about Mr. Whited? 24 A I knew they were -- HR was there 25 interviewing a lot of people.</p>	<p style="text-align: right;">Page 32</p> <p>1 terminated? 2 A No. 3 Q After his termination, I understand there 4 was security brought in out at the fulfillment 5 center. 6 A Yes. 7 Q What do you know about that? 8 A They got security to come in. I'm not real 9 sure why on that one. 10 Q Okay. Do you know if there was concern 11 about him, Mr. Whited, harming people? 12 MS. DOHNER SMITH: Objection. 13 THE WITNESS: I assumed. I knew 14 nothing. I didn't know anything. I didn't talk to 15 anybody. 16 BY MS. COLLINS: 17 Q Did you hear anything about people being 18 worried about him hurting people? 19 A Rephrase that. Say that again. 20 Q Did you hear anything about other people 21 being worried that he might do something? 22 A I heard that, yes, from other employees. 23 Q Who did you hear it from? 24 A Again, it's hearsay. It was just another 25 employee was talking that that must be what he's</p>
<p style="text-align: right;">Page 31</p> <p>1 Q Okay. Were you interviewed? 2 A Yes. 3 Q Okay. Who interviewed you? 4 A Terri Henley and Melinda McGraw. Terri 5 Henley with Melinda McGraw. 6 Q Okay. Do you recall what you told them? 7 A No, not exactly. 8 Q Did you talk to Tom Pedine? 9 A About? 10 Q Mr. Whited. 11 A No. 12 Q Do you recall telling HR, Ms. Henley and 13 Ms. McGraw, that you were afraid to ask for a 14 vacation for yourself or others or anything like 15 that? 16 A Afraid, no. 17 Q What do you know about Mr. Whited's 18 termination? 19 A All I was told was that it was because of 20 code of conduct. They never -- I never really got a 21 lot of explanation. 22 Q Have you ever talked with Mr. Whited about 23 his termination? 24 A No. 25 Q Have you talked with him since he's been</p>	<p style="text-align: right;">Page 33</p> <p>1 here for, he's afraid. 2 Q Who was the other employee? 3 A I honestly don't remember. 4 Q Okay. 5 A It was just... 6 Q Do you think Mr. Whited would be capable of 7 harming other people? 8 A No. 9 Q When he was the manager out there, did you 10 ever hear him threaten other employees other than 11 threatening to fire them? 12 A Don't recall that, no. 13 Q Okay. Do you know who made the initial 14 complaint against Mr. Whited that led to his 15 termination? 16 A It was through -- my understanding, it was 17 through an exit interview with Johanna Crowder. 18 Q And she left WestRock, right? 19 A Yes. She is back, but yes. 20 Q She's back now? 21 A (Witness moves head up and down.) 22 Q She came back after Mr. Whited left? 23 A Yes. 24 Q Is she at the Gallatin facility again? 25 A Yes.</p>

<p style="text-align: right;">Page 34</p> <p>1 Q The fulfillment center or the plant?</p> <p>2 A Sheet plant.</p> <p>3 Q Now that you're general manager, do you get</p> <p>4 notice of hotline complaints?</p> <p>5 MS. DOHNER SMITH: Objection.</p> <p>6 THE WITNESS: I'm plant manager, but --</p> <p>7 BY MS. COLLINS:</p> <p>8 Q Plant manager, I'm sorry. I keep getting</p> <p>9 those two confused.</p> <p>10 A I have got -- I've been interviewed because</p> <p>11 of hotline complaints, yes.</p> <p>12 Q What do you mean?</p> <p>13 A They call, HR calls, and set up either a</p> <p>14 phone interview or they come and visit and</p> <p>15 interview.</p> <p>16 Q And what are they -- like what sort of</p> <p>17 complaints are they?</p> <p>18 A One, I demoted a person and she complained</p> <p>19 to HR.</p> <p>20 Q And this was after you got promoted to plant</p> <p>21 manager?</p> <p>22 A Yes.</p> <p>23 Q Okay. Who was that?</p> <p>24 A Terri Niemann.</p> <p>25 Q Anybody else?</p>	<p style="text-align: right;">Page 36</p> <p>1 Q Did you ever hear Tommy Whited say that all</p> <p>2 supervisors reported to him or anything like that?</p> <p>3 A All supervisors reported to him? I mean, he</p> <p>4 made comment the whole plant reported to him. I</p> <p>5 don't know if he ever specified supervisors.</p> <p>6 Q Do you know if employees, when he was the</p> <p>7 manager out there at the Gallatin fulfillment --</p> <p>8 well, at the Gallatin plants, were afraid to make</p> <p>9 complaints or reports because of the way he managed</p> <p>10 things?</p> <p>11 A Yes, I do feel that.</p> <p>12 Q And some employees told you they were afraid</p> <p>13 of him?</p> <p>14 MS. DOHNER SMITH: Objection.</p> <p>15 THE WITNESS: They were afraid for</p> <p>16 their job.</p> <p>17 BY MS. COLLINS:</p> <p>18 Q Do you feel like working out at the WestRock</p> <p>19 Gallatin plants has become better since Mr. Whited</p> <p>20 left?</p> <p>21 A Yes. I'd be sort of silly not to think</p> <p>22 that, but yes.</p> <p>23 Q Is it less stressful, you feel like?</p> <p>24 A Yes.</p> <p>25 Q Have you been hit in the groin since he got</p>
<p style="text-align: right;">Page 35</p> <p>1 A There's been some other calls. I've been</p> <p>2 interviewed for a couple of reasons, but I don't</p> <p>3 know who the person was.</p> <p>4 Q Okay. So, would they show you the hotline</p> <p>5 complaint that was made against you?</p> <p>6 A No.</p> <p>7 Q Would they just tell you about it?</p> <p>8 A They would go over parts of it, ask me</p> <p>9 questions about it.</p> <p>10 Q Have you ever made a hotline complaint?</p> <p>11 A No.</p> <p>12 Q Did you ever hear of Tommy Whited</p> <p>13 discouraging people from making hotline complaints?</p> <p>14 A Discourage, no.</p> <p>15 Q Did you ever hear him tell employees that</p> <p>16 they would just -- complaints would come to him</p> <p>17 anyway?</p> <p>18 A Yes.</p> <p>19 Q Okay. Tell me a little bit more about that.</p> <p>20 A I was just -- I heard him say it one day,</p> <p>21 just a few of us sitting around.</p> <p>22 Q If an employee made a complaint to the</p> <p>23 hotline, he would get it anyway?</p> <p>24 A Yeah. He said they would come to him with</p> <p>25 it, is what he said.</p>	<p style="text-align: right;">Page 37</p> <p>1 fired?</p> <p>2 MS. DOHNER SMITH: Objection.</p> <p>3 THE WITNESS: No.</p> <p>4 BY MS. COLLINS:</p> <p>5 Q Have you heard of any other male employees</p> <p>6 being hit in the groin since he got fired?</p> <p>7 A No.</p> <p>8 Q Do you feel like when Mr. Whited was manager</p> <p>9 out there that he was fair?</p> <p>10 A Say that one more time.</p> <p>11 Q Do you feel like when Mr. Whited worked out</p> <p>12 there, when he was manager out at the Gallatin</p> <p>13 plants, that he was a fair manager?</p> <p>14 A No.</p> <p>15 Q Why do you say that?</p> <p>16 A Because personally, I was overlooked four to</p> <p>17 five times.</p> <p>18 Q For promotion?</p> <p>19 A Yes.</p> <p>20 Q Do you feel like he put in other people that</p> <p>21 were less qualified?</p> <p>22 A Yes.</p> <p>23 Q Why do you think he did that?</p> <p>24 A Friendship.</p> <p>25 Q So, is it basically if you were on his good</p>

<p style="text-align: right;">Page 38</p> <p>1 side, you could get promoted, but if you were just</p> <p>2 someone who came in and did your work and weren't on</p> <p>3 his good side, maybe you had less chance of getting</p> <p>4 promoted?</p> <p>5 MS. DOHNER SMITH: Objection.</p> <p>6 THE WITNESS: That was a long question.</p> <p>7 BY MS. COLLINS:</p> <p>8 Q He played favorites?</p> <p>9 A Yes.</p> <p>10 Q Okay. Did you notice any sort of pattern as</p> <p>11 to why he played favorites?</p> <p>12 A Yes.</p> <p>13 Q Tell me about that. Tell me why you think</p> <p>14 that.</p> <p>15 A He was actually afraid for his job, is my --</p> <p>16 what I think. Because like me, I think he was</p> <p>17 afraid for me to get into that spotlight, that it</p> <p>18 would be easier for me to take his job, if that</p> <p>19 makes sense.</p> <p>20 Q Yeah. Because, you know, sounds like you</p> <p>21 took your job seriously and worked hard.</p> <p>22 A My integrity and respect is all I have in</p> <p>23 life, so yes.</p> <p>24 Q Right. And so, you didn't mess around with</p> <p>25 company politics. You just wanted to come in and do</p>	<p style="text-align: right;">Page 40</p> <p>1 A There was some that bought cars there. Me</p> <p>2 being one of them.</p> <p>3 Q Okay. When was the last time you bought a</p> <p>4 car from him?</p> <p>5 A 2010.</p> <p>6 Q I guess you don't owe any money on that car</p> <p>7 anymore?</p> <p>8 A No. I paid for it the day I got it.</p> <p>9 Q Okay, long time ago.</p> <p>10 Did you have any sort of impression as to</p> <p>11 whether that caused a problem or conflict with any</p> <p>12 of the other employees that were his subordinates?</p> <p>13 A Not that I'm aware of.</p> <p>14 Q Okay. Did -- after Mr. Whited was</p> <p>15 terminated, did you have any discussions with</p> <p>16 Michael Kulakowski about his overtime getting cut</p> <p>17 back?</p> <p>18 A Yes.</p> <p>19 Q Okay. Tell me about that.</p> <p>20 A Overtime was cut back because we were</p> <p>21 cutting overtime back in the whole plant.</p> <p>22 Q Okay. What would you say is Michael</p> <p>23 Kulakowski's job title now?</p> <p>24 A Clerk.</p> <p>25 Q Has it always been a clerk?</p>
<p style="text-align: right;">Page 39</p> <p>1 good work and you figured that should speak for</p> <p>2 itself?</p> <p>3 A Yes. If I hit the numbers, do the right</p> <p>4 things, that should be what gets me where I want to</p> <p>5 go.</p> <p>6 Q So it sounds like he would kind of put yes</p> <p>7 men in jobs --</p> <p>8 MS. DOHNER SMITH: Objection.</p> <p>9 BY MS. COLLINS:</p> <p>10 Q -- that would be more loyal to him as</p> <p>11 opposed to being loyal to the company.</p> <p>12 A Yes.</p> <p>13 Q Have you ever had any contact with the EEOC</p> <p>14 about Michael Kulakowski?</p> <p>15 A What is the EEOC?</p> <p>16 Q I guess your answer would be no.</p> <p>17 A Yes.</p> <p>18 Q That's fine.</p> <p>19 I understand that Mr. Whited had some kind</p> <p>20 of little side businesses selling cars or things.</p> <p>21 Have you heard anything about that?</p> <p>22 A Yes. Tommy owns a car lot, partners in a</p> <p>23 car lot.</p> <p>24 Q Would he sell cars to employees over at</p> <p>25 WestRock?</p>	<p style="text-align: right;">Page 41</p> <p>1 A For a long time, basically.</p> <p>2 Q Okay. A clerk in what department?</p> <p>3 A Shipping and receiving.</p> <p>4 Q Does he have a formal job title?</p> <p>5 A Well, it says forklift driver on his -- but</p> <p>6 he's just been a clerk for a long time.</p> <p>7 Q So, he primarily handles paperwork in the</p> <p>8 shipping and receiving department?</p> <p>9 A Yes. Receiving the paperwork, giving the</p> <p>10 paperwork to the truck drivers.</p> <p>11 Q Okay.</p> <p>12 THE WITNESS: Can I have five?</p> <p>13 MS. COLLINS: Absolutely, yes.</p> <p>14 (Recess observed.)</p> <p>15 BY MS. COLLINS:</p> <p>16 Q Now, Mr. Hall, after -- well, before</p> <p>17 Mr. Whited was terminated, did he call you and ask</p> <p>18 you, you know, what's going on when HR came out</p> <p>19 there and started investigating things?</p> <p>20 A He called me the Saturday night before he</p> <p>21 was terminated on Monday.</p> <p>22 Q Okay. Tell me about that.</p> <p>23 A He called wanting to know do I know who all</p> <p>24 HR had talked to. I told him no.</p> <p>25 Q Did you know?</p>

<p style="text-align: right;">Page 42</p> <p>1 A Did I know? No.</p> <p>2 Q Okay. What else did he ask you?</p> <p>3 A He went into that he'd find out, that he had</p> <p>4 a list now of who all it was. He knew who was</p> <p>5 all -- who all was there, who all went in, who all</p> <p>6 had interviewed with them, how long -- he asked me</p> <p>7 did I know how long it had been going on, and I told</p> <p>8 him like three weeks, because I referred to the day</p> <p>9 that Johanna left, or the days before Johanna left.</p> <p>10 I told him the date that I first knew of HR being</p> <p>11 there. That was pretty much the conversation we had</p> <p>12 that night.</p> <p>13 Q Did you have any other conversations</p> <p>14 about -- before he was terminated about the HR</p> <p>15 investigation that you can recall?</p> <p>16 A That Saturday morning he asked me -- they</p> <p>17 talked to him on Thursday or Friday, HR did. On</p> <p>18 Saturday morning he come got me at work, we went and</p> <p>19 had breakfast. He went over a few things with me,</p> <p>20 told me he was going to retire first of the year,</p> <p>21 partially because of the HR investigation and he was</p> <p>22 getting old. Then he called me back Saturday night.</p> <p>23 That's when he wanted to know who all.</p> <p>24 Q Okay. Did he tell you that he had been</p> <p>25 asked questions about horseplay with employees?</p>	<p style="text-align: right;">Page 44</p> <p>1 recorded, or was there anything in addition to this</p> <p>2 other than what you've already testified that you</p> <p>3 can talk about?</p> <p>4 A Yeah, it looks pretty close.</p> <p>5 Q Okay. So you had talked with him on a</p> <p>6 Thursday night and then the Saturday conversations</p> <p>7 that you just mentioned, right?</p> <p>8 A Yes. The Thursday night -- yeah. I forgot</p> <p>9 that conversation took place.</p> <p>10 Q Okay. It looks like, based on her notes,</p> <p>11 that you had told her that Mr. Whited had asked you</p> <p>12 questions -- had said that HR had been asked</p> <p>13 questions about horseplay with other employees.</p> <p>14 Does that refresh your recollection about that?</p> <p>15 A I don't remember the horseplay. It may have</p> <p>16 been. That's been 14 months ago, whatever it was.</p> <p>17 Q Sure.</p> <p>18 A I do know about the eating lunch and</p> <p>19 breakfast with Susan, lunch and breakfast with</p> <p>20 Susan. I do not remember the horseplay, but I don't</p> <p>21 doubt it either.</p> <p>22 Q Was he having an affair with Susan?</p> <p>23 A Not that I know of.</p> <p>24 Q Had you heard that he was?</p> <p>25 A Small town rumors.</p>
<p style="text-align: right;">Page 43</p> <p>1 A He went into no details about what they had</p> <p>2 talked to him about.</p> <p>3 MS. COLLINS: Okay. I'm going to mark</p> <p>4 this next document as Exhibit 14.</p> <p>5 (Marked Exhibit No. 14.)</p> <p>6 BY MS. COLLINS:</p> <p>7 Q I'm going to give you just a moment to</p> <p>8 review this document, Mr. Hall. Let me know when</p> <p>9 you're ready.</p> <p>10 A (Reviewing document.)</p> <p>11 Q For this, I'm really just focusing on the</p> <p>12 first page.</p> <p>13 MS. DOHNER SMITH: I think the second</p> <p>14 page deals with somebody else.</p> <p>15 MS. COLLINS: Right. It's kind of a</p> <p>16 composite exhibit. I just want him to look at the</p> <p>17 first page.</p> <p>18 BY MS. COLLINS:</p> <p>19 Q Have you had a chance to review this, just</p> <p>20 the first page?</p> <p>21 A Yes.</p> <p>22 Q Now, looks like Ms. Henley sort of recorded</p> <p>23 discussions that she had with you.</p> <p>24 A Yes.</p> <p>25 Q Does this look accurate, her -- what she</p>	<p style="text-align: right;">Page 45</p> <p>1 Q Right. Is that why Susan got moved back to</p> <p>2 the sheet plant?</p> <p>3 A No.</p> <p>4 Q Okay.</p> <p>5 MS. DOHNER SMITH: If we're going to</p> <p>6 enter this, I just don't know that anything on</p> <p>7 Page 2 actually relates to him. It appears to be an</p> <p>8 interview with somebody else other than him. So can</p> <p>9 we --</p> <p>10 MS. COLLINS: I'm going to ask</p> <p>11 everybody else about it. I put it all together</p> <p>12 because it's on the same date.</p> <p>13 MS. DOHNER SMITH: Okay. Then, I'm</p> <p>14 fine with it going ahead and being entered. I'm</p> <p>15 just going to object to the fact that he can't</p> <p>16 authenticate it or speak about it because it doesn't</p> <p>17 relate to him.</p> <p>18 MS. COLLINS: Okay.</p> <p>19 BY MS. COLLINS:</p> <p>20 Q That time that Mr. Whited hit you in the</p> <p>21 groin, did you tell Larry Eden about it, or was he</p> <p>22 present?</p> <p>23 A I don't remember telling Larry, no.</p> <p>24 Q When was the last time you've talked with</p> <p>25 Michael Kulakowski?</p>

<p style="text-align: right;">Page 46</p> <p>1 A Last time I talked to him was -- he went out 2 for his back. Like two days before that. 3 Q Okay. Since he made these -- you knew he 4 made complaints against Mr. Whited, right? 5 A Yes. 6 MS. DOHNER SMITH: Objection. 7 BY MS. COLLINS: 8 Q Since he made those complaints, have you 9 tried to avoid Mr. Kulakowski or not talk to him? 10 A No, ma'am. 11 Q What is Mike White's job title again? 12 A Operations manager is what his title is. 13 Q At the fulfillment center? 14 A Yes. 15 Q Is that a recent promotion or has he been in 16 a job for a while? 17 A He's had that job for several years. 18 Q Is he -- based on your knowledge, is he 19 pretty close or good friends with Mr. Whited? 20 A No. 21 Q No, you don't know, or no, he isn't? 22 A I've never seen it. 23 Q So not that you know of? 24 A No. 25 MS. COLLINS: Okay. That's all I have.</p>	<p style="text-align: right;">Page 48</p> <p>1 2006? 2 A Twelve. 3 MS. COLLINS: 2006? 4 BY MS. DOHNER SMITH: 5 Q I'm sorry. 2016. 6 A That's what I took it as, '16. 7 Q So there were about 12 WestRock employees in 8 2016? 9 A That's close. 10 Q What about WestRock employees at the sheet 11 plant? How many now and how many in 2016? 12 A Close to 30. 13 Q Okay. Now, temp agency, they have somebody 14 on site that handles issues with their -- with the 15 temporary employees, right? 16 A Yes. 17 Q And that was the case in 2016 as well? 18 A Yes. 19 Q Earlier you were asked about seeing people 20 slap people in the groin and you kind of made a hand 21 gesture. Could you explain what you mean by Tommy 22 hit you in the groin or what you saw him do with 23 others? Because it's hard to get down -- you can't 24 get down on the record physical movement in the 25 room. Can you try to voice --</p>
<p style="text-align: right;">Page 47</p> <p>1 MS. DOHNER SMITH: Just a couple of 2 things. 3 EXAMINATION 4 BY MS. DOHNER SMITH: 5 Q A while back you were asked about the 6 interim general manager, Eric Underwood. 7 A Yes. 8 Q Is he the general manager at Humboldt, at 9 that facility? 10 A Eric is actually the regional sales manager. 11 Q Okay. So, when he was acting as the interim 12 general manager, was he doing his own duties and 13 filling in? 14 A Yes. 15 Q Okay. The presentation of results regarding 16 the survey that HR puts together, does that include 17 the names of any individuals reporting on the 18 survey? 19 A No. 20 Q You said that at the fulfillment center 21 there were around 65 employees with temps and all. 22 How many actual WestRock employees are at the 23 fulfillment center? 24 A Currently, around 25. 25 Q Okay. Do you know how many it was in like</p>	<p style="text-align: right;">Page 49</p> <p>1 A He was -- it was open hand, backhand, just 2 flick his fingertips to hit you in -- men in the 3 groin. 4 Q Okay. 5 A Which if you're a man is very painful. 6 Q I can imagine. And even a small flick could 7 cause some pain? 8 A Yeah. 9 Q It wasn't like he was taking his whole hand 10 across his body and using force? 11 A No. Just flicking his wrist. 12 Q Okay. Earlier you had indicated that you 13 didn't recall Mr. Kulakowski coming to you and 14 talking about any of this. If Mr. Kulakowski had 15 come to you and said Tommy was doing this, it 16 bothered him, he wanted him to stop, would you have 17 taken some action? 18 A Yes. 19 Q What action would you have taken? 20 MS. COLLINS: Objection to form. 21 You can answer. 22 BY MS. DOHNER SMITH: 23 Q Would you have helped him out? 24 A Yes. I would have actually -- I would have 25 confronted Tommy. I would have confronted Tommy</p>

<p style="text-align: right;">Page 50</p> <p>1 with the problem.</p> <p>2 Q Okay. Earlier you indicated you assumed</p> <p>3 that the reason WestRock had security was because of</p> <p>4 concern about Tommy Whited hurting people. Did</p> <p>5 anybody in upper management tell you that's why</p> <p>6 security was brought in?</p> <p>7 A No.</p> <p>8 Q Did anybody in HR tell you that's why</p> <p>9 security --</p> <p>10 A No.</p> <p>11 Q -- was brought in?</p> <p>12 A (Witness moves head side to side.)</p> <p>13 Q You were asked about receiving notice of</p> <p>14 hotline complaints. Do you know where the hotline</p> <p>15 complaints actually go?</p> <p>16 A Where they go?</p> <p>17 Q Yes.</p> <p>18 A No.</p> <p>19 Q Okay. So, if somebody calls the hotline, it</p> <p>20 doesn't come to the Gallatin --</p> <p>21 A No.</p> <p>22 Q Either Gallatin facility?</p> <p>23 A No.</p> <p>24 Q And getting notice of the hotline complaint,</p> <p>25 that doesn't mean somebody calls and says, hey,</p>	<p style="text-align: right;">Page 52</p> <p>1 that's it.</p> <p>2 MS. COLLINS: That's all I have.</p> <p>3 FURTHER DEPONENT SAITH NOT.</p> <p>4 (Proceedings concluded at 11:00 a.m.)</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 51</p> <p>1 so-and-so complained about you?</p> <p>2 A No. There's never any names.</p> <p>3 Q If you're involved in the investigation,</p> <p>4 you're just made aware that a complaint has been</p> <p>5 filed and you're being interviewed?</p> <p>6 A Yes.</p> <p>7 Q Okay. Earlier you were asked about Tommy</p> <p>8 Whited saying all supervisors report to him. As the</p> <p>9 general manager of the two facilities, technically</p> <p>10 all supervisors report up to him in the chain of</p> <p>11 command, correct?</p> <p>12 A Yes.</p> <p>13 Q You were asked since all of this came up</p> <p>14 with Mr. Whited if you have tried to avoid</p> <p>15 Mr. Kulakowski. Isn't the opposite true? Haven't</p> <p>16 you kind of gone out of your way to make sure he</p> <p>17 feels supported and has what he needs to do his job?</p> <p>18 A Yes. I've had a lot of coaching sessions</p> <p>19 with Mr. Kulakowski.</p> <p>20 Q Okay. And you actually moved your office</p> <p>21 out there to be close to him so that he would know</p> <p>22 you're there to help him out?</p> <p>23 A Next door. We had daily sessions for a</p> <p>24 while, trying to help him perform better.</p> <p>25 MS. DOHNER SMITH: Okay. I think</p>	<p style="text-align: right;">Page 53</p> <p>1 REPORTER'S CERTIFICATE</p> <p>2</p> <p>3 I, Jerri L. Porter, RPR, CRR, Notary</p> <p>4 Public and Court Reporter, do hereby certify that I</p> <p>5 recorded to the best of my skill and ability by</p> <p>6 machine shorthand all the proceedings in the</p> <p>7 foregoing transcript, and that said transcript is a</p> <p>8 true, accurate, and complete transcript to the best</p> <p>9 of my ability.</p> <p>10 I further certify that I am not an</p> <p>11 attorney or counsel of any of the parties, nor a</p> <p>12 relative or employee of any attorney or counsel</p> <p>13 connected with the action, nor financially</p> <p>14 interested in the action.</p> <p>15 SIGNED this 26th day of November, 2017.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21 _____</p> <p>22 Jerri L. Porter, RPR, CRR</p> <p>23 My Notary commission expires: 2/19/2018</p> <p>24 Tennessee LCR No. 335</p> <p>25 Expires: 6/30/2018</p>

1 E R R A T A

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3 I, JAMES KEITH HALL, having read the
4 foregoing deposition, Pages 1 through 52, taken
5 November 15, 2017, do hereby certify said
6 testimony is a true and accurate transcript,
7 with the following changes, if any:

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Notary Public
My commission expires: _____